

REMARKS

This communication is in response to the final Office Action issued August 1, 2003. Claims 1-47 are pending in the application. The Applicants have amended claims 1, 8, 10, 11, 29, 46 and 47. Applicant submits that the application is now in condition for allowance. Reconsideration and allowance in view of the following is respectfully requested.

A. Oath/Declaration

The Examiner objected to the Oath and Declaration as defective for failing to indicate the citizenship of an inventor. An re-executed Oath and Declaration for the subject inventor will be provided in due course.

B. Abstract

The Examiner objected to the abstract of the invention as exceeding the 150 word limit. The Applicants have amended the abstract in accordance with MPEP 608.01(b). Accordingly, the objection is believed to be overcome and, withdrawal of the objection is respectfully requested.

C. Specification

The Examiner objected to the specification because of a typographical error on page 1, and references to Figures 13a, 13b, 14a, and 14b not found in drawings. The Applicants have amended the specification to address the typographical error on page 1 of the specification. The Applicants have also provided corrected drawings in order for the specification and drawings to correspond to one another. Accordingly, the objection is believed to be overcome and, withdrawal of the objection is respectfully requested.

D. Drawings

The Examiner objected to the drawings because there are two Figures 13 and two Figures 14. The Applicants have corrected the drawings so that they correspond to the specification by referencing 13a-13b and 14a-14b. Accordingly, the objection is believed to

be overcome and, withdrawal of the objection is respectfully requested.

E. Rejection under 35 USC 101

The Examiner rejected claims 1-45 under 35 USC 101 as directed to non-statutory subject matter. The Applicant has amended claims 1 and 29 to recite that the limitations recited in the respective claims are steps performed by a computer. Accordingly, the rejection is believed to be overcome and, withdrawal of the rejection is respectfully requested.

D. Rejection under 35 USC 112

The Examiner rejected claims 1-47 under 35 USC 112 as being indefinite for failing to point out and distinctly claim the subject matter which applicants regard as the invention. The Applicants have amended claim 1 to provide antecedent basis for the limitations “first geometry” and “secondary filter condition”. Accordingly, the rejection is believed to be overcome and, withdrawal of the rejection is respectfully requested.

The Examiner indicated that the last paragraph of claims 1, 29, 46 and, 47 were not understood. The Applicants have amended claims 1, 29, 46 and, 47 to clearly indicate that the secondary filter is performed if the intermediated filter cannot confirm the relationship between geometries.

E. Claim Objections

The Examiner objected to claims 1-47 because of various informalities. The Applicants have amended claims 1, 8, 10, 11, 29, 46, and 47 to correct the various informalities. Accordingly, the rejection is believed to be overcome and, withdrawal of the rejection is respectfully requested.

CONCLUSION

All claims are believed to be in condition for allowance. If the Examiner has any questions about this Amendment and to facilitate prosecution, the Examiner is encouraged to call the undersigned attorney. The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with this application to Deposit Account No. 19-5127 referencing 19111.0042.

RECEIVED

NOV 04 2003

Technology Center 2100

Respectfully submitted,

Swidler Berlin Shereff Friedman, LLP

Dated: November 3, 2003

By: 

Chadwick A. Jackson
Registration No. 46,495

SWIDLER BERLIN SHEREFF FRIEDMAN, LLP
3000 K Street, N.W., Suite 300
Washington, D.C. 20007
(202) 424-7500

A

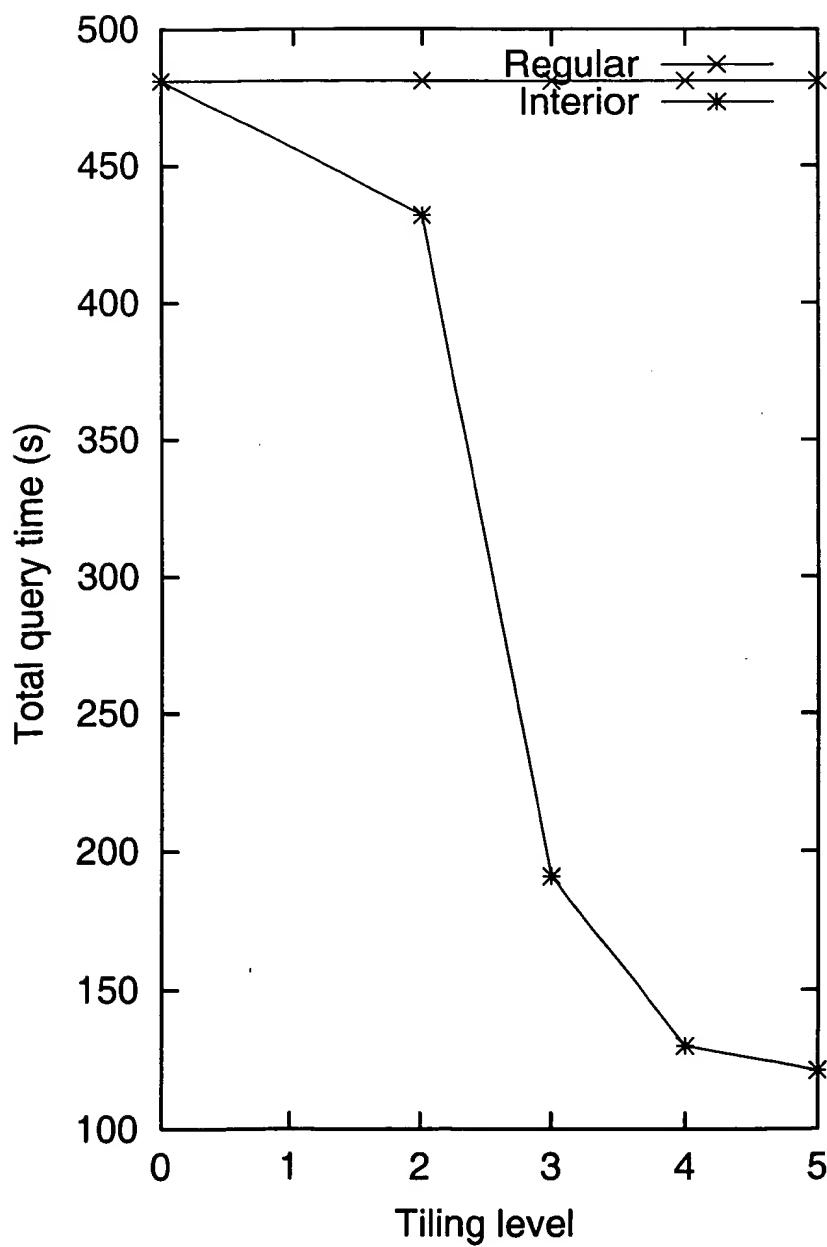


Fig. 13(a)

Approved
B May 04

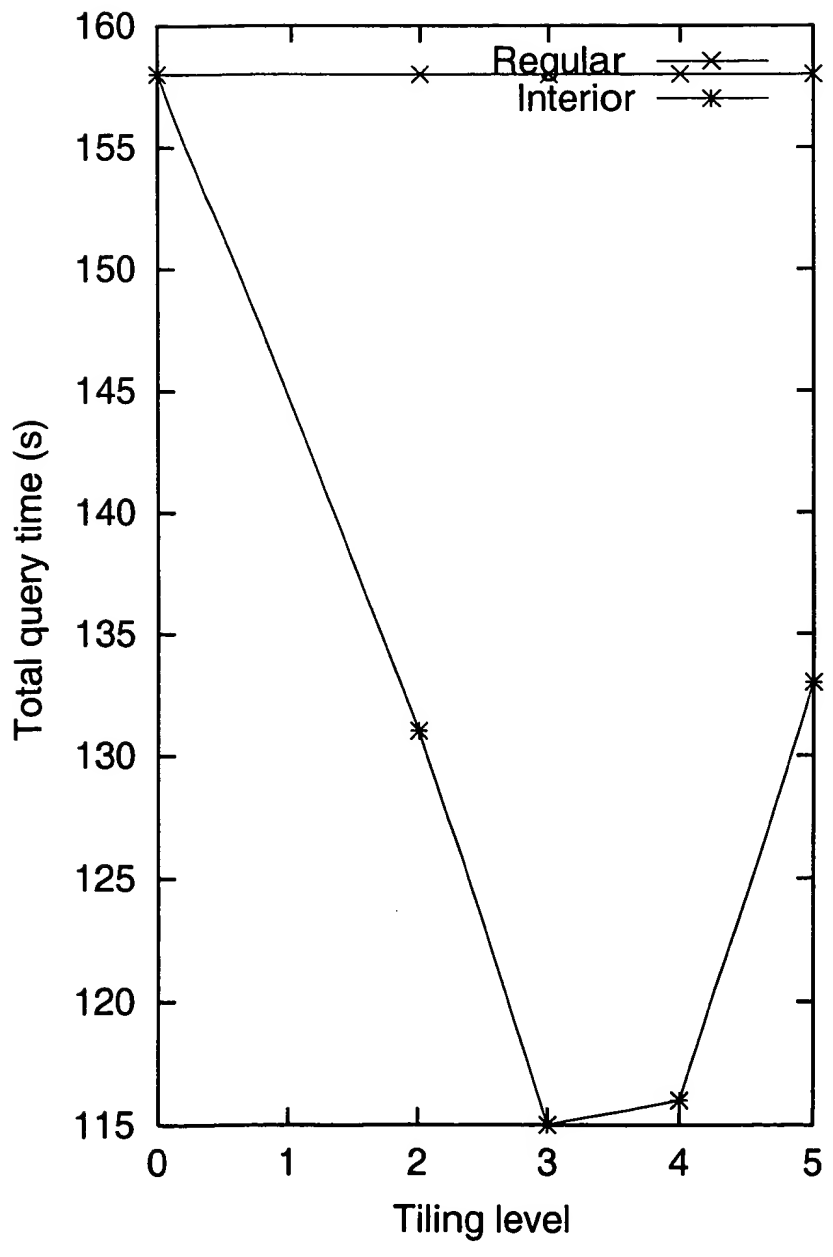


Fig 13(b)

Approved
ll
13 May 04

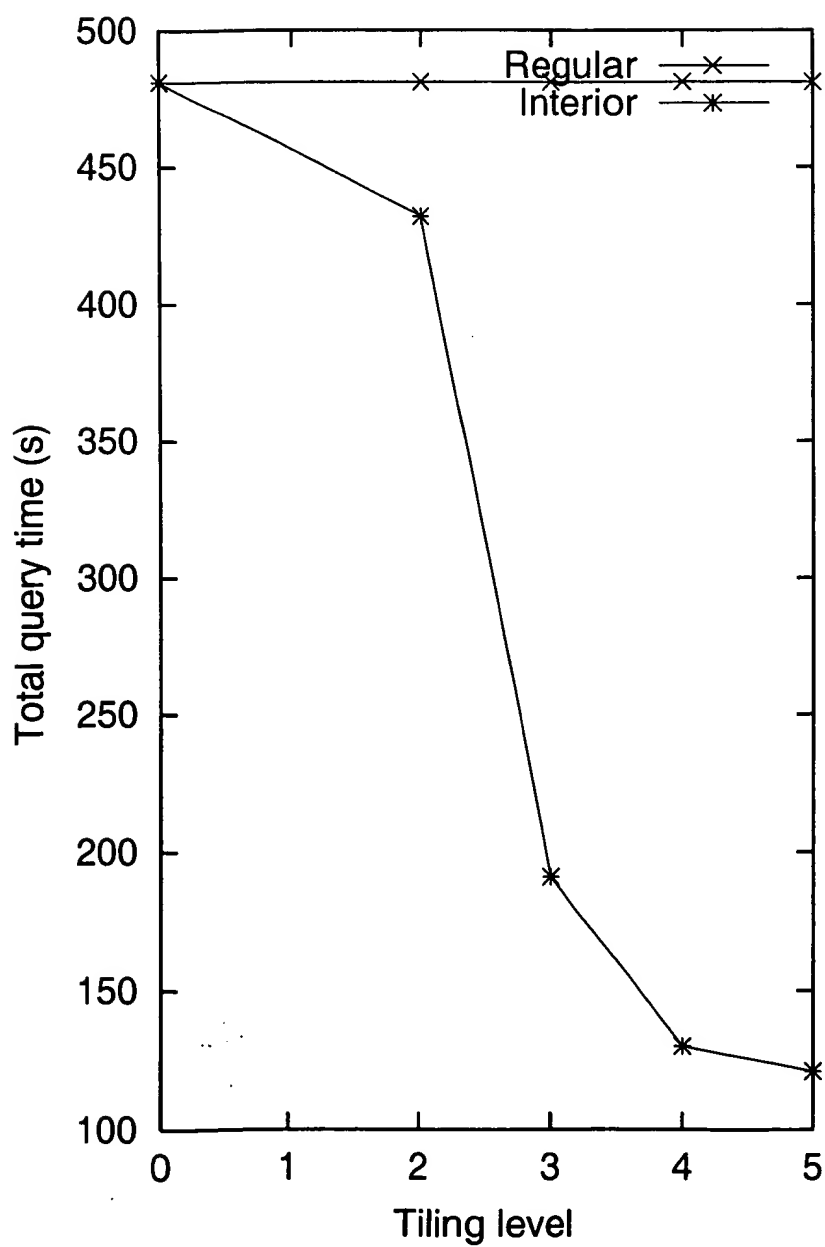


Fig. 14(a)

Approved
[Signature]
13 May 04